G. R. S. 58]

Previous references.

File No. 2-14

1914.

Serial Nos. 40

(SJA)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 40

Part B for September 1915

SUBJECT.

D. A bill of the Revenue Department

From Asst Comptroller

No 40. Memo No 82 Dt 8-9-14.

Requests G. O. No. R 1110-1111 Dt 11-8-14
A. R. 35-13-1

Sanctioning the taking by Mr H. V. Ramasawmy, Treasury officer, Bangalore, of a bicycle by rail during his inspection in May and June 1913.

(PPB—10,000—28-3-15)

M. Parthasarthi Naidu
17-10-1915.

G.R.S. 11] 1914.

GENERAL AND REVENUE SECRETARIAT.

(S 14)

NOTES.

File No. 2-14

FILE HEADING.

I Able of the Rev. Dept.

From Asst Comptr

Memo No. 82 Dated 8.9.14 Received

Diary No. 1035	Enclos.	Spare Copies.	Serial No. 40

BRIEF ABSTRACT OF LETTER.

Requests Govt order No. R 1110-1111 & 11.8.14
& R, 35-13-17
Sanctioning the taking by Mr H.V. Ramaswamy
Treasury Offr, Bangalore, of a bicycle by rail
during his inspection in May & June '13
may be communicated in the Fd Dept

NOTES AND ORDERS.

1. This is a question in which no financial Communication may be necessary, as note 2 of Art 539 M.S.R. does not seem to empower the Fin Dept to discuss the question

NOTES—First Sheet.

GPB—30,000—12-8-11

Serial No.

on the merits of the Case. and ~~that Council will~~ The procedure adopted is consis with the rules.

2. The latest decision of Council on this subject has been that a Set of rules for the guidance of the Sanc authorities is what is all that is Considered necessa and these rules ~~are being~~ have yet to be framed by the Comptr.

3. Under the Circumstanc it only remains for the Audit Office to accept witho question the Sanctn given ~~under~~ by the authorities. It is ~~now~~ however a point for Consider ~~whether any Scrutiny is neces according to the old practice~~ and ~~the~~ whether the old practice may be Continued till the Set of rules ~~by~~ framed by Comptr are accepted & finally passe by Govt. Subt for orders

PRW 9.4.14

NOTE—Contn. sheet.

GPB—10,000—13-6-14

General and Revenue Secretariat.

S/P File No. 2 of 1914

Serial No.	
4	The Comp^{r} has asked for the financial Confirmation of an order issued from the Administrative Branch ~~sanctioning the~~ approving of the D^{y} Com^{r} of Bangalore Sanctioning the ~~bill~~ To Bangalore taking a bicycle at Govt Expense & while ~~touring~~ inspecting the Taluk Treasuries.
	5. Ordinarily such an order does not require the Confirmation. But in this case it is seen that the Administrative Branch have sanctioned the D.C's proposal without ascertaining the places between which such conveyance at Govt Expense was & or the number of journeys for which it was s^{d} or any ~~further~~ such particulars. In fact the D^{y} Com's letter, was very brief, without any details has been accepted & it is not clear if Govt interests really required such a Sanction.
	6. It may be mentioned that a To who goes on ~~touring~~ inspecting Taluk Treasuries — which

NOTE—Contn. sheet.

GPB—10,000—13-6-14

General and Revenue Secretariat. | S/A File No. 2 of 1914.

Serial No.

But it is open to the D/Com to request the Dist Com to see the work and submit report 28/7/15

other officers has business only at the Taluk Treasury and at no other place and ~~it~~ it is not clear how far interests require his taking a bicycle at Govt expense.

7. It is therefore a matter for consideration if at this stage the Administrative Branch may be asked to get further particulars about the sanction accorded by the D/ Com[r] and examine it on its merits, as it seems ~~there~~ it seems to be a ~~great deal of~~ doubtful if the sanction was properly given in this instance.

44

Please)

C/ 25/7

8. I think the Administrative Dept[t] should kindly reconsider the matter in the light of the foregoing note.

(2) M.S. Jr will please put up a note separately pointing out that in many cases Administrative Depts do not consult F. D. & issue orders direct to Comptts upon. It is

C/ 7/1

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Extracts taken here 1/11

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

J & A File No. 2 of 1914.

Serial No.

desirable that all orders to transfer regarding offrs should be communicated through H. D. The departmental copy may go direct except where rules require financial confirmation. This point may be taken up in a separate file]

Bor 1)

Mysore 17th 1917

Vide 36/R.

27/10

Q. Under art 539 of the M. S. R. the discretion to judge of the necessity for permitting the conveyance to be taken by rail has been vested in the immediate Offl Superior, and in the present case the Dy Comr of the Bangalore Dt who is the immediate Offl Superior has exercised that discretion & ~~permitted~~ accorded permission as the Offr had to travel expeditiously to complete the inspection of treasuries by the end of the Offl year. Unless Dy Comr's action has not been called into question by the Accr Comr. and whether Govt Shd go into the details minutely is a point

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]
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Serial No.

Dup 36

For Considerations

10. Communications through Br II may perhaps be unnecessary in the present case (as has been admitted by Br II) till the present rules are altered.

Submd

DJ (11) 7/10 8 9/10/14

11 There doesn't seem the argument to disturb the existing discretion exercised by the Govt in permitting the Try Office to take a cyclostyle Govt expense. & the Financial Dept cannot discuss the merits of the case from an administrative point of view.

12 The sanction asked for [redacted] needn't perhaps be communicated through Br II

DJ Fed 3)

7 10 14

13 4

9/10/14

14

To Br II

8

9/10/14

P.A.N. 10/10

NOTE—Contn. sheet.

GPB—50,000—12-8-10

Serial No. 15
Sub

These remarks evidently
3.29 shew that the Administrative
Dept Consider it unnecessary
to go into the details of the
facts of the case, when the
Responsible Superior Offr or the Govt
of the Dept has given Sanction

PRW 12.10.14 The M.S.R requires the sanction accorded by Superior Officers to be communicated to Govt so that Govt may see if the Sanction is properly accorded or not. Merely because the ~~Officers concerned~~ Govt has Sd the Charge and the Rev Comr has not objected to it, it is not perhaps correct to ~~think~~ say that the Govt in the Administrative Branch need not look into the merits of this Case. This is especially so in case ~~the Case~~ where 'prima facie' the Sanction is not in accordance with the principles of the M.S.R.

he 12-10-14

(Resd)

17 I agree with the views of M/s Jai Dar Lal

M 13/10

G. R. S. 12]

General and Revenue Secretariat.

SA File No. 2 of 1914

Serial No.

18 There seems to be no reason to doubt the correctness of the Dy Com^r's permission & no elaborate discussion appears necessary

19 Sanction of Govt is unnecessary. The Dy Com^r's permission was intimated to Govt & recorded. The fact may perhaps be entered in the Audit Office Memo Bk II – though even that does not appear strictly necessary

RR 19 10 14

DS(Ad) 19 10 14

20 Please find out & state places the bicycle was taken out for what purpose

DS(Ad) RR 21 10 14

Draft Sub^d

DS(M) 21 Draft has been approved by the Asstt Secy

24/10/8

24/10/14

26/10/14

Issued

Correct

L2 90/14 8vo

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat. | S/A File No. 2 of 1914

Serial No. V

The bicycle was taken by rail to Doddaballapur, Gollahalli, Channapatna & Closepet - for inspection of the Taluk treasuries in five of the Taluks in the Dt - It will be seen from the bills that the travelling was also done expeditiously, and there seems to be no reason therefor to question the sanction accorded by the Dy Comr - Submd DS 27/5/16

28/5/16

Dy Secy

23 - I agree

1 yes Member

4. I agree too

3/6

To Br U

GPB—25,000—22-3-15

G. R. S. 12]

1076

10

General and Revenue Secretariat. | Sta File No. 2 of 1914-15

Serial No.	
15	Draft reply to the Comptroller is subt for orders. DMS 7-6-15 — Vb. I think that no reply is necessary to the Comptr as he has passed the bills.
16	The bills are now yet passed Re. 1946 — Vb. It is very doubtful if in these cases — of a Treasury Officer going out WT clerks for Treasury inspection — the grant of the charges for conveying a Cycle by rail ~~was proper~~ rightly admissible under the M.S.R. Vb. Under the rules the H Branch ~~has~~ ~~Com Sta~~ has practically no voice in these matters as the M.S.R ~~makes~~ declares the orders of the Administrative Branch of the Secretariat of ~~Heads of~~ Departmental Officers, final. Vb. If words have been in accordance with the practice of the Secretariat if this Branch had been consulted before the issue of the order from Fort ~~&~~ it would have ~~not~~ perhaps resulted in this "irregular" charge being disallowed. Vb. No further action he. seems to be necessary in the particular instance 7-6-15

NOTE—Contn. sheet.

GPB—25,000—22-8-15

1946

Serial No.

31. Under art. 539, the following conditions should be satisfied for taking conveyance by rail at Government cost:-

(1) The sanction accorded must be only in the interests of Public Service.

(2) The distance travelled by railway in a single journey should be not less than 20 miles.

32. The following facts will disclose how far the above conditions have been satisfied in the present case:-

1. In the case of the journeys to Dodballapur and Chennapatna, the conveyance was not required at those places for proceeding immediately to another station. As such, only ordinary travelling allowance under the regulations, which is intended to cover all charges incidental to travelling including the cost of the locomotion of the officer at the place of the halt, is what is admissible. These rules do not contemplate conveyances being taken by rail to a station to be used for moving about in that station.

2. The condition regarding the minimum distance to be travelled by railway is not fulfilled in the case of the journey to Gollahalli which is only 17 miles from Bangalore city.

33. So, the sanction accorded is against the expres provisions of the article. Though heads of office are empowered to sanction under this article the carrying of conveyance by rail at Government cost, sanctions like this which are against the letter an spirit of the article cannot be accepted as valid

NOTE—Contn. sheet.

GPB—25,000—22-3-15

Serial No.

by the Financial Department.

Br I)

W. Under art 539 (5) of the N.S.R. a bicycle is allowed in addn to the other conveyances which the Offr is entitled to take. In the present case permission to take only the bicycle has been given, and as already noted, the inspections have been done by travelling expeditiously which might perhaps have not been possible if the Offr had to hire conveyances at the diffl places. The sanction in the case of Gokhalli seems to have been given as the Offr had to go on a road journey soon after his alight there.

25. As the cycle has not been taken with the express permission of the Dy Com the charges may perhaps be allowed in the present case if Br I agrees and the Dy Comr informed that sanctions shd not be given in such cases hereafter.

Submd

NOTE—Contn. sheet.

GPB—25,000—30-4-15

General and Revenue Secretariat.

S/A File No. 2 of 1914.

Serial No.	
	36. It seems unnecessary to discuss the present case any further for the charge was incurred with the permission of the Dy Comr, subsequently intimated to, & accepted by, Govt. As pointed out by Mr Shamanna, such permission is conclusive, & the Fd Branch has no voice in the matter.
	37. If the Fd Secy is however of opinion that there is a tendency towards laxness observable in granting permissions, he may suggest a circular, containing instructions, to guide the discretion of officers competent to permit, & it may be considered in the Administrative Branch
	Dy Secy — NR 3/7/15
	38. The paper under disposal is memo no 82 S 28/8/14 from the Asst Comptroller and there has been sufficient discussion on it. The first point is whether orders passed in such cases in the Admin Branch (I) should be communicated through Branch II to Compt

NOTE—Contn. sheet.

GPB—25,000—30-4-15

General and Revenue Secretariat.

S & A File No. 2 of 1914

Serial No.

In this point there is a ruling that it was unnecessary

4 (Rule not to be in the Limited Case

39 The second point is whether any further action is necessary in this particular Case -

As observed by the Asst Secy Fd Dept in his note dt 7/6/15 nothing more is required

The Asst Comptroller may be replied to that the Communication of the above order by the Fd Dept is not necessary

40 If necessary a Circular as suggested by the Asst Secy in his note dt 3/7/15 will be issued

23/7/15

2nd Member

Yes I agree

24/7

24/7/15

27/7

27/7

Page 10.

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

. R. S. 12]

1035 Gn. 36. 15

General and Revenue Secretariat. S & A File No. 2 of 1914

Serial No.	
169	Subd Pres Secy Jeser) 30.7.15 42. The ~~order~~ permission accorded by the official superior is ultra vires for two reasons (a) Golhalli is less than 20 miles from Bangalore. (b) Sanction under art 539 is intended for conveyances to be used for moving from one station to another & not for merely moving within one station. 43. For these reasons the sanction cannot be regarded as one under art 539 M. S. R. When an order passed by a competent authority is palpably wrong, the audit office will not be justified in accepting it, even as a special case, without the order of the F. D. M For F) 6/8 43(a) Subd for orders DS 9/8 Sec) 11.8.15

hg 30/7/15

Hm 13/8

NOTE—Contn. sheet

GPB—25,000—30-4-15.

G. R. S. 12

General and Revenue Secretariat. File No. 2 of 1914

Serial No.

(44) The sanction of the Govt was given in May 1913. When the matter was brought to the notice of Govt by the Rev Commissr, it was recorded in Govt on 11/8/14

R

The details of the journey performed by the asst Comr were not before Govt when the above order recording the Rev Comr's letter was passed

(45) I understand that the issue of a general circular explaining the scope of Act 539 MSR is under consideration elsewhere

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

(1035) 1035-2 (17 H

R. S. 12]

General and Revenue Secretariat.

S 17 File No. 2 of 1914

Serial No.	
	(46) The asst Controller in his memo S 28/8/14 does not say that the D Comm's Sanction is ultra vires but says
R	that the Co S 11/8/14
A	should be Communicated through the Financial D'pt
Flag R	This has been held to be unnecessary in the latest file
B	(47) I would therefore request to be kindly informed if any further action in this case is necessary on B'L
290 1	Financial Secretary 16/8/15
	48 A. By asking for financial confirmation

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

9n. 30 12

General and Revenue Secretariat. | S&A File No. 2 of 1914

Serial No.

The Comptroller means that in this particular case the order is ultra vires and cannot be accepted as final without the orders of the F.D.

49. B. The action required is that the ~~order~~ order of 11-8-1914 should be modified thus: "Recorded with the observation that the sanction will be given effect to as far as admissible under art 539 M.S.R."

Mr 23/8

Bor I)

50. As it has never been the intention of Govt to allow Mr. H.V. Ramaswami more than what is admissible under Art 539 M.S.R. a draft is put up

+ L.R 90-14-H in the linked file.

51 This file will, if approved, be returned to Bor II with a copy of the letter put up in the linked file

Bor 23/8

DS. 25/8 Revised

25/8/15 51)

52 Bor the letter has

NOTE—Contn. sheet.

GPB—20,000—20.6.15

General and Revenue Secretariat.

S/A File No. 2 of 1914

Serial No.	
	To be approved by the Member of Council in charge &c They will be done in Br I ~~The Financial Dept~~
	53. The Bk mgr accounts after 15. DST. be sent to Br II
	DST. 28/8/15 28/8
	File Sent S/A ~~Returned~~ to Br II with a copy of this Office letter no R 2618 dt 3/9/15 to the Comptroller. LR 90-14-11
The Reply Comments have been detached	SJ 9/9 9/9/15

This ~~order~~ letter no R 2618 dt. 3.9.15 issued to the Comptr. d. R. 90-14 is in accordance with the Fin Secy's opinion recorded in para 49 Supra

This letter, which modifies ~~the~~ Govt's decision the order

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1035-7/14

(20)

G. R. S. 12]

General and Revenue Secretariat.

S & A File No. 2 of 1914.

Serial No.	
	of the Rev Bd vomed in no R 1110-111 & R.35-1317 dd 11.8.14, may perhaps enable the Audit Office to dispose of the claim of Mr Ramaswa maya for taking a bicycl at Govt Cost in May & June,
	But the Memo No. 82 dd 8.9.14 received from the Asst Comptr and which forms the paper under disposal in this file, rema to be replied to.
	It is a point for orders whether it ~~is necessary~~ to communicate or will do if a letter reply is sent to the Asst Comptr as in the draft portion ~~which follows~~
	MW 11.9.15 No reply as suggested is necessary File 14/9.

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

DIARY NO. 1035

Gl. 1 DEPARTMENT.

OFFICE OF THE.

FILE NO. 2-14 COMPTROLLER, MYSORE GOVERNMENT

SERIAL NO. 40 Bangalore, dated 28-8-14

Memo No. 82 8/9/14

Request that sort Order No. R 1110-1111 of 1/Aug^t 14 intimating that Mr^s A. V. Ramaswamy Dresser, Office of the Bangalore Dist was permitted by the Rev Comm^r to take a bicycle by rail during his tour of inspection in May & June & may be kindly communicated by sort in the Fin^l Department

Comptroller,
Mysore Government.

To the Asst Secy Fin Dept

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—10,000—10-6-14

W.D. 12C—GPB—500—21-7-15

G. R. S. 31]

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. R2618 /L.R 90-14-11 GENERAL AND REVENUE SECRETARIAT,

Dated Bangalore, 3rd September 1915.

FROM

V. R. THYAGARAJA IYER, ESQ., M.A.,

Secretary to the Government of His Highness the Maharaja of Mysore,

Revenue Department.

To

Dewan Bahadur
J.S.Chakravarti, Esq., M.A., F.R.A.S.,

Comptroller, Mysore Government.

SIR,

In returning herewith the Travelling Allowance bills, etc., received with your letter No.T.A.76 dated 15th May 1915, I am -- directed to inform you that the claims of Mr.H.V.Ramaswami, Assistant Commissioner, for charges for taking his bicycle by rail during May and June 1913 (referred to in Government Order No.R.1110-1111/ L.R.35-13-1 dated 11th August 1914), may be allowed as far as they are admissible under Article 539 Mysore service Regulations.

I have the honor to be,

Sir,

Your most obedient servant,

For Secretary to Government
Revenue Department.

Copy to Br II.

VT